

## **LTBB Tribal Court Administrative Order**

**03-21-2022-07**

### **COVID-19 Phase 5 Re-opening Plan**

The Tribal Court, in accordance with the approach taken by the Executive Branch related to managing the risk posed by the COVID-19 pandemic, is adopting and implementing the Phase 5 COVID-19 Re-opening Plan set forth below.

Consistent with the re-opening plan, Tribal Court will expand in-person hearings, while continuing to offer virtual access to hearings. The Tribal Court will provide written guidance on the requirements for in-person attendance and when virtual attendance will be permitted.

### **LTBB TRIBAL COURT PHASE 5 COVID-19 RE-OPENING PLAN**

**Phase 5 (Begins: March 13, 2022 Ends: April 2, 2022)**

#### **Introduction**

The Little Traverse Bay Bands of Odawa Indians (herein after, “LTBB”) government operations have been dealing with the COVID-19 pandemic since the beginning of March of 2020. A declaration of emergency was declared by the Tribal Chair and an Emergency Management Team (herein after, “EMT”) was formed to combat the pandemic. A multi-phase re-opening plan with workplace safety precautions was developed to protect against the pandemic. The overall goal of LTBB’s COVID-19 Multi-Phase Re-Opening Plan is to provide employees with as safe as an environment as possible and protect privacy, while providing governmental services to our tribal community. Government operations will continue to strive to do our part to help flatten the curve in the State of Michigan and our tribal community.

Since the beginning of the pandemic, LTBB government operations has done the following phase timeline to help protect our employees, tribal citizens, and tribal community:

- Shutdown of Government Operations: March 17, 2020 – May 17, 2020
- Phase I: May 18, 2020 – June 27, 2020
- Phase II: June 28, 2020 – May 29, 2021
- Phase III: May 30, 2021 – July 3, 2021
- Normal Operations (New Normal) July 4, 2021 – Sept. 18, 2021
- Phase IV Sept. 19, 2021 – Sept. 27, 2021
- Phase 3.5 Sept. 28, 2021 – Nov. 17, 2021
- Phase 2.5 Nov. 18, 2021 – Feb. 26, 2022
- Phase 3.5 Feb. 27, 2022 – March 12, 2022

- Phase 5

March 13, 2022 – Apr. 3, 2022

**Phase 5 begins Sunday, March 13, 2022 and ends Saturday, April 2, 2022.** Phase 5 goals support our reopening plan mission. A bulleted summary of our previous phases is at the end of this document.

**I. Phase 5 (March 13, 2022 – April 2, 2022: this period may be changed based on consultation with the Medical Director)**

**A. Access to Government Buildings.**

1. Government buildings will be open to citizens and guests needing to conduct business. We continue to encourage citizens and guests to make appointments for their business needs.
2. Citizens and guests are still encouraged to continue to conduct business by electronic means whenever possible.
3. Temperature checks and health questionnaire are no longer required for citizens and guests entering the buildings.
  - a. All citizens and guests to use main entrance doors and to remain at check-in/check-out stations until department personnel can be called to come escort them to and from the department providing services.
  - b. All citizens and guests are encouraged to practice social distancing and use hand sanitizer station when seeking in-person services.
  - c. Vendors will continue to use their usual delivery entrances.
4. Office hours will be Monday thru Friday from 8:00 am to 5:00 pm.
5. Access to buildings outside of normal working hours is only permitted with approval of Director.
6. Employees may use employee entrances when entering the buildings.

**B. Employee Conditions & Requirements.**

1. Employees are encouraged to get the COVID-19 vaccination. The vaccine is available to ALL employees at the LTBB.
2. All offices will be open during normal business hours with a staffing level at a minimum of 75%. Unit Directors, the CFO, or Branch Manager may adjust office capacity as needed. Employees not working in the office will telework.
3. Telework requirements: Telework agreements are to be approved by Director.
  - a. Documentation required for teleworking:

- i. Telecommuting Agreement Form
  - ii. Telecommuting Productivity Tracking Form is required to be completed weekly and monitored by Directors.
4. **Personal Protection Equipment (PPE):** Employees are no longer required to wear masks while indoors at any LTBB building. Employees who wish to wear a mask while indoors is encouraged to do so. Masks will continue to be provided by LTBB or employees can provide their own fabric masks. Disposable masks are to be discarded after being used for one day.
5. **Health Screening.** Employees are no longer required to go through a health screening before entering LTBB buildings.
  - a. Employees **MUST** self-report any illness or symptoms of COVID-19 to their immediate supervisor immediately. Failure to do so will be subject to progressive discipline.
  - b. Employees are to remain home if they display any of the symptoms related to COVID-19: Cough, shortness of breath or difficulty breathing, chills, fatigue, muscle or body aches, headache, new loss or change of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea. Symptoms are defined by MDHHS/CDC. <https://www.cdc.gov/>
  - c. LTBB may choose to implement COVID testing for employees. Prior to the implementation of testing, notice shall be given to employees regarding the nature of the COVID testing and the conditions under which such testing may be required.
  - d. **Enforcement:** Supervisors and Directors are responsible for enforcing COVID/Illness guidelines and restrictions within their programs.

### C. In-Person Events and Meetings: Indoor/Outdoor

1. **Indoor meetings:** are allowed with a capacity of 12 people. Social distancing, hand washing, and hand sanitization is encouraged. Organizers are encouraged to conduct these meetings and events using zoom.
2. **Indoor/Outdoor events:** In-person indoor/outdoor events are prohibited unless approved by the Director and by the Unit Director, CFO, or Branch Manager. Social distancing, hand washing, and hand sanitization is encouraged at events. Organizers are encouraged to conduct events using zoom or other virtual means.

D. **Travel.** Employee are fully able to travel with normal travel processes and approvals.

### E. Workplace Safety Precautions

1. All buildings cleaned daily and deep cleaned weekly.

2. Departmental trash and compost pickup is back to normal schedule.
3. Kitchens are closed to employees except for use of the ice machine. Employees are responsible to disinfect area before and after use.
4. Water Filling stations and drinking fountains are now fully open.
5. Employees are permitted to use break areas. Social distancing is encouraged and employees are responsible to disinfect area before and after use.
6. Facilities staff will clean the buildings daily and deep clean the buildings weekly as defined by their COVID-19 procedures. Weekly deep cleaning will be conducted outside regular business hours.
7. Employees are encouraged to limit their travel within the buildings whenever possible. Zoom meetings are encouraged.
8. Employees are encouraged to use hand sanitizer whenever they leave their office.
9. At the end of each work day, employees will use disinfecting wipes or cleaning products/paper towels to clean their offices and workstations.
10. Employees are required to utilize proper hand washing/hand sanitizing techniques while in office.<sup>1</sup>
11. Employees are encouraged to use disinfecting cleaning supplies on all surfaces they come in contact with including doorknobs, doors, desks, computers, copiers, etc.
12. Employees are required to use proper sneeze and cough etiquette, i.e. coughing into your elbow, or otherwise covering the mouth.
13. Employees are encouraged to practice social distancing of 6 feet within the workplace whenever possible.
14. Tribal vehicles are to be sanitized following their use.
15. Employees are encouraged to wash and/or sanitize their hands after handling documents.
16. Health and safety posters and handouts related to COVID-19 are available for all employees upon request.

**F. Leave Programs Available.** Regular leave programs outlined in employee handbook are available. Please refer to the employee handbook for leave program information.

## **II. COVID-19 Outbreak in the Workplace**

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<sup>1</sup>Guidance on hand washing and hand sanitizing can be found at, <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

**A. Definition of Outbreak.** An Outbreak occurs when we have two or more employees test positive for COVID-19 in a department or office suite within seven days, or an outbreak can be determined by Executive Leadership.

**B. Notification.**

1. Directors: Affected directors will be notified of the outbreak as soon as an outbreak is discovered and a decision on response is determined.
2. Employees: Affected employees will be notified of the outbreak by their director immediately.
3. Non-Affected directors, employees, and community will be notified of the outbreak and closures in a timely manner.

**C. Response.**

1. Closure of building(s), building floor(s) and department(s) will be determined on a case-by-case basis. When a closure is issued, employees are not allowed in the closed areas unless written permission from a Unit Director, CFO, or Branch
2. Deep cleaning after closure – a deep cleaning of the affected areas must be done before employees are allowed back into the offices. Deep cleaning may not commence until a minimum of 2 hours after closure. No one is allowed back into the affected for a minimum for 2 hours after deep cleaning.
3. The LTBB Health Department will conduct contact tracing.
4. Department/Program services will continue electronically.
5. Employees will telework from home if their position allows. If an employee is mandated to go home due to an outbreak closure and their position does not permit telework, the employee will be on paid administrative leave.
6. Some departments will not be closed down entirely due to the nature of their work. Examples include health, law enforcement, conservation, regulatory, and facilities.

**III. COVID-19 Employee Response Plan.**

**A. Identification of a COVID positive employee.** The Tribal government shall respond swiftly but carefully if an employee tests positive for COVID.

1. A positive test result will be accepted from an unexpired home test. Pictures of the test with expiration date visible and test result must be provided to the supervisor for verification of authenticity. OR
2. A positive result will be accepted from a nucleic acid/PCR test done at a medical facility/testing site.

**B. Contact Tracing.** The Health Department, in coordination with other governmental departments, shall develop a workforce contact tracing protocol to identify and inform any individuals who have been in close contact with a COVID positive employee. For COVID-19, a close contact is within six feet of someone for a cumulative total of 15 minutes or more over a 24-hour period with or without a mask

**C. Notification.** Upon learning that an employee may be COVID positive, the employee's supervisor shall be required to contact their direct supervisor, the HR Director, the Health Director, and their Unit Director, CFO, or Branch Manager.

**D. Response.** The government office/building where a COVID positive employee was working will be shut down and closed to employees and the public until the office/building can be deep cleaned and decontaminated.

**E. Employee Quarantine Following Positive Test.**

1. Employees who have tested positive for COVID, may return to work in the buildings if the following is met:

a. Seven days from positive test (if asymptomatic) or seven days from symptom onset, if:

i. No fever for 24 hours without use of fever-reducing medication, AND

ii. Other symptoms are improving (no smell and no taste may last longer)

b. If you continue to have fever or your other symptoms have not improved after seven days of quarantine, you must wait to end your quarantine until you are fever-free for 24 hours without the use of fever-reducing medication and your other symptoms have improved.

c. No test is required to return to work.

2. Employees who are able and willing to work remotely during quarantine may do so with approval of the Director and Unit Director. Employees who are unable to work remotely, will be required to use PTO until quarantine period is over.

**F. Employee Close Contact Exposure.** If an employee has been directly contacted by a local Health Department because they have a known COVID exposure from being in close contact with a COVID positive person, or if an employee knows they have been in close contact with a COVID positive person, they are required to let their supervisor know about the exposure, when it occurred, and whether they were in the office or in contact with other employees during working hours following the close contact exposure. For COVID-19, a close contact is within 6 feet of someone for a cumulative total of 15 minutes or more over a 24-hour period with or without a mask.

**G. Employees Having Close Contact with COVID Positive Person:**

1. **Not up-to-date:** Not up-to-date means a person has not received all recommended COVID-19 vaccines, including any booster dose(s) when eligible.

Not up-to-date employees who have had close contact with a COVID positive person are required to:

- a.** Quarantine for a minimum of five days and be tested. Employee can work remotely during quarantine or if remote work is not available, then employee must use PTO to cover the five days, unless employee has an approved medical/religious exemption from vaccination.
  - i.** If no symptoms develop, the employee will be tested on day five (or first business day after day five) and can return to work if the test is negative. An unexpired home test or COVID PCR/Nucleic Acid test is acceptable.
  - ii.** If symptoms develop within the five days, you must stay home and test at 3-5 days after symptoms develop:
    - a)** If positive test result or symptoms develop, then follow protocol in step III. E.
    - b)** If your test is negative, you must quarantine until your symptoms resolve.
    - c)** Employee is ill, employee uses PTO to cover the time off from work.

**2. Up-to-date:** Up-to-date means a person has received all recommended COVID-19 vaccines, including any booster dose(s) when eligible. Up-to-date employees who have had close contact with a COVID positive person are required to:

- a.** Quarantine for a minimum of three days and be tested. Employee can work remotely during quarantine or if remote work is not available, then employee will be paid administrative leave for the quarantine days.
  - i.** If no symptoms develop, the employee will be tested on day three (or first business day after day three) and can return to work if the test is negative. An unexpired home test or COVID PCR/Nucleic Acid test is acceptable.
  - ii.** If symptoms develop within the three days, you must stay home and test at 3-5 days after symptoms develop:
    - a)** If positive test result, then follow protocol in step III. E.
    - b)** If your test is negative, you must quarantine until your symptoms resolve.
    - c)** Employee is ill, employee uses PTO to cover the time off from work.

3. **Testing:** All testing must be done with an unexpired home test or COVID PCR/Nucleic Acid test at a medical facility/testing site. Proof of home test result will be required.
4. **Religious Exemption:** An employee may request, based on a sincerely-held religious belief, to remain unvaccinated, receive only a specific brand of the COVID-19 vaccine, or wait for an alternative version of the vaccine to become available. Employees should make this exemption request to the Human Resources Department.

Date: \_\_\_\_\_



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Hon. Allie Greenleaf Maldonado